

# HOUSE BILL No. 1275

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-48-4-15.

**Synopsis:** Loss of driving privileges for drug offenses. Increases the period of time that a person's driver's license is suspended when the person is convicted of crimes related to dealing in a controlled substance or possession of a controlled substance, including marijuana, hash oil, or hashish. Indicates that if a person does not have a driver's license, the person is barred from obtaining a license for the same period as a driver's license of the person could have been suspended. Requires the department of correction to notify the bureau of motor vehicles when a person convicted of a crime related to dealing in a controlled substance or possession of a controlled substance, including marijuana, hash oil, or hashish, is released on parole or discharged. Requires a court to notify the bureau of motor vehicles when the offender is reimprisoned for a violation of parole or probation.

**Effective:** July 1, 2001.

**Buck**

January 9, 2001, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1275

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 35-48-4-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 15. (a) If a person is convicted of an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this chapter, or conspiracy to commit an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this chapter, the court shall, in addition to any other order the court enters, order that the person's:

- (1) operator's license be suspended;
- (2) existing motor vehicle registrations be suspended; and
- (3) ability to register motor vehicles be suspended;

by the bureau of motor vehicles for a period specified ~~by~~ **under subsection (b).**

**(b) The court shall specify a period under subsection (a) that is equal to the sum of:**

- (1) the time that the person is confined in a penal facility for the offense or for a violation of parole or probation related to the offense; plus**
- (2) an additional period of either of the following:**



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1           **(A) If the person is convicted of an offense or a conspiracy**  
2           **to commit an offense under section 1, 2, 3, 4, 5, or 10 of this**  
3           **chapter, at least ten (10) years but not more than twenty**  
4           **(20) years.**

5           **(B) If clause (A) does not apply, at least six (6) months but**  
6           **not more than two (2) years.**

7           ~~(b)~~ **(c) If a person is convicted of an offense described in subsection**  
8           **(a) and the person does not hold an operator's license or a learner's**  
9           **permit, the court shall order that the person may not receive an**  
10           **operator's license or a learner's permit from the bureau of motor**  
11           **vehicles for a period of not less than six (6) months: equal to the**  
12           **period described in subsection (b) for the offense.**

13           **(d) When an offender is released on parole or discharged from**  
14           **the department of correction for an offense described in subsection**  
15           **(a) (regardless of whether the offender was reimprisoned for a**  
16           **violation of parole or probation), the department shall notify the**  
17           **bureau of motor vehicles that the offender has been released on**  
18           **parole or discharged.**

19           **(e) When an offender is imprisoned for a violation of parole or**  
20           **probation related to an offense described in subsection (a), the**  
21           **court making the determination that the violation occurred shall**  
22           **notify the bureau of motor vehicles of the determination.**

23           **SECTION 2. [EFFECTIVE JULY 1, 2001] IC 35-48-4-15, as**  
24           **amended by this act, applies only to offenses committed after June**  
25           **30, 2001.**

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